

## CONSEQUENCES

Section	summary	Source
Art 1 Sec 9 *	Agencies may rescind a provider's CCAP Authorization for up to three months and/or impose a fine of \$1k for failing to report significant decreases in a child's attendance (i.e. less than half of their scheduled hours or days for a four-week period).	HF1874 Albright
Art 1 Sec 14	Makes it explicitly a misdemeanor and adds financial penalties (not less than 50% of the max fine allowed) for CCAP providers/recipients who fail to provide access during an investigation	HF791 Franson
Art 1 Sec 15	Makes it explicitly a misdemeanor and adds financial penalties (not less than 50% of the max fine allowed) for CCAP providers/recipients who make false statements during an investigation	HF791 Franson
Art 2 Sec 2	Establishes that fraudulent CCAP providers lose their Parent Aware rating.	HF1110A1 Zerwas
Art 2 Sec 3	Excludes from Early Learning Scholarship eligibility those recipients who are disqualified from CCAP for wrongfully obtaining assistance.	HF1110A1 Zerwas
Art 2 Sec 4	Excludes from Early Learning Scholarship eligibility those providers who are disqualified from CCAP for wrongfully obtaining assistance, or CCAP authorization is revoked for providing false information.	HF1110A1 Zerwas
Art 3 Sec 2 **	Establishes that licensees who are excluded from one DHS program are prohibited/DQ'd/disenrolled/revoked from ALL other programs	HF2060 Moran (201.29-203.21)
Art 3 Sec 3 **	Compels the commissioner to immediately, temporarily suspend a license if a child care license holder fails to comply with a fraud investigation or is criminally charged with fraud.	HF446 Franson HF2060 Moran (221.27-222.21)
Art 3 Sec 5 **	Asserts the commissioner may suspend/revoke a license if a license holder is excluded from any other DHS program.	HF2060 Moran (222.22-226.31)
Art 3 Sec 9	Defines criminal and civil penalties for fraudsters who intend to transfer benefits to a foreign country subject to travel restrictions (up to 25 yrs and \$125K)	HF446 Franson
Art 3 Sec 10 **	Permanently disqualifies fraudulent providers/recipients from all future CCAP eligibility. Permanently disqualifies from MFIP/SNAP related programs those who intend to transfer MFIP benefits to a foreign country subject to travel restrictions.	HF498 Franson HF446 Franson
Art 3 Sec 12	Establish penalties for those who threaten to blackmail/coerce individuals into participating in their public assistance fraudulent schemes. (10yrs and \$20k)	HFXXXX Runbeck
Art 3 Sec 14 **	Establishes that it is a crime to bribe/accept a bribe related to applying for/receiving DHS benefits; or related to using a particular vendor/accepting more than fair market value for services paid for by DHS (10yrs and \$20k)	HF2060 Moran (260.22-262.14)

All references to HF2060 are to the 2/28/29

\*Element in common with Governor's proposal

\*\*Element in common with DHS's proposal

## PROVIDER CONTROLS

Section	summary	source
Art 1 Sec 4	Commissioner is to place a notice on the billing form advising that providers, owners, directors, managers, license holders, controlling individuals and the submitter may each be held liable for intentionally providing false information	HF1881 Heintzeman
Art 1 Sec 5 *	Reduces the amount of time CCAP payments can be made retroactively from six months to three months.	HF1548 Albright
Art 1 Sec 6	Limits claims that can be made by centers on behalf of children whose parents are employed by said center to 10% of licensed slots.	HF497A1 Franson
Art 1 Sec 7	Compels CCAP provider attestation forms explicitly mention perjury and compel that all employees sign (sometimes referred to as “an oath”)	HF1881 Heintzeman
Art 1 Sec 8 * **	Establishes that CCAP attendance records must be legible, accurate and provided immediately upon request and that records produced subsequent to that are not valid. Simplifies the CCAP overpayment calculation so that if a record is found to be insufficient to support the billing, an overpayment is flagged.	HF1680A1 Demuth
Art1 Sec 10 **	Requires a surety bond for child care centers that receive more than \$250,000 in CCAP funds/year.	HF1541 Zerwas
Art 1 Sec 11 *	Reduces the amount of time a provider has to submit billing from 60 to 30 days. The providers are to receive notice on the billing form advising that providers, owners, directors, managers, license holders, controlling individuals and the submitter may each be held liable for intentionally providing false information	HF1548 Albright HF1881 Heintzeman
Art 1 Sec 12	Defines absent days as a day the child is scheduled to be in care and the child is absent the entire day. Requires that that if it meets the criteria the provider must bill the day as an absent day. Failure to do so flags an overpayment.	HF1680A1 Demuth
Art 1 Sec 13	Establishes licensors employed by DHS or counties as mandatory reporters of fraud	HFXXXX Daudt
Art 1 Sec 16	The commissioner shall propose legislation necessary to ensure that those responsible for submitting billing forms are each held liable if materially false information is intentionally provided on a CCAP billing form.	HF1881 Heintzeman
Art 2 Sec 5	Permits DHS to release info on fraudulent CCAP providers and recipients to MDE for the purpose of determining eligibility.	HF1110A1 Zerwas
Art 3 Sec 11	Establishes that signing an application for public assistance constitutes an “oath”.	HF1881 Heintzeman
Art 3 Sec 13	Further defines acts constituting perjury by cross referencing changes made to Article 1 Sec 7-10 and Article 3 Sec 11.	HF1881 Heintzeman

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## INVESTIGATIONS & JUSTICE

Section	summary	source
Art 1 Sec 1	Clarifies that welfare data on program participants/applicants can be disclosed to DHS licensors and disseminated to MDE.	HF2060 Moran (102.3-108.11)
Art 1 Sec 3	Stipulates that certain CCAP payment data becomes public when the center receives > \$100k in a year, or a DQ related to fraud/financial misconduct occurs	HF2060 Moran (102.3-108.11)
Art 1 Sec 4	Commissioner is to place a notice on the billing form advising that providers, owners, directors, managers, license holders, controlling individuals and the submitter may each be held liable for intentionally providing false information	HF1881 Heintzeman
Art 1 Sec 7	Compels CCAP provider attestation forms explicitly mention perjury and compel that all employees sign (sometimes referred to as “an oath”)	HF1881 Heintzeman
Art 1 Sec 11 *	Reduces the amount of time a provider has to submit billing from 60 to 30 days. The providers are to receive notice on the billing form advising that providers, owners, directors, managers, license holders, controlling individuals and the submitter may each be held liable for intentionally providing false information	HF1548 Albright HF1881 Heintzeman
Art 1 Sec 13	Establishes licensors employed by DHS or counties as mandatory reporters of fraud	Undrafted Daudt
Art 1 Sec 16	The commissioner shall propose legislation necessary to ensure that those responsible for submitting billing forms are each held liable if materially false information is intentionally provided on a CCAP billing form.	HF1881 Heintzeman
Art 3 Sec 1	Establishes that otherwise confidential licensee data can be disclosed to an investigator in the investigation or prosecution of a criminal, civil, or administrative proceeding.	HF2060 Moran (201.29-203.21)
Art 3 Sec 4 **	Limits burden of proof in administrative cases to a preponderance of the evidence	HF2060 Moran (222.22-226.31)
Art 3 Sec 11	Establishes that signing an application for public assistance constitutes an “oath”.	HF1881 Heintzeman
Art 3 Sec 13	Further defines acts constituting perjury by cross referencing changes made to Article 1 Sec 7-10 and Article 3 Sec 11.	HF1881 Heintzeman
Art 3 Sec 16 *	Provides appropriations for: 4FTEs in the OIG FFAI Division (3 investigators/1 supervisor, all with law enforcement backgrounds); An OIG FFAI Division case tracking system; Fraud Prevention Investigations program (\$1.275M/year 20/21).	Appropriations

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## Eligibility

Section	summary	source
Art 2 Sec 2	Establishes that fraudulent CCAP providers lose their Parent Aware rating.	HFXXXX
Art 2 Sec 3	Excludes from Early Learning Scholarship eligibility those recipients who are disqualified from CCAP for wrongfully obtaining assistance.	HF1110A1 Zerwas
Art 2 Sec 4	Excludes from Early Learning Scholarship eligibility those providers who are disqualified from CCAP for wrongfully obtaining assistance, or whose CCAP authorization is revoked for providing false information.	HF1110A1 Zerwas
Art 3 Sec 2	Establishes that licensees who are excluded from one DHS program are prohibited/DQ'd/disenrolled/revoked from ALL other programs	HF2060 Moran (201.29-203.21)
Art 3 Sec 3	Compels the commissioner to immediately, temporarily suspend a license if a child care license holder fails to comply with a fraud investigation or is criminally charged with fraud.	HF446 Franson HF2060 Moran (221.27-222.21)
Art 3 Sec 5	Asserts the commissioner may suspend/revoke a license if a license holder is excluded from any other DHS program.	HF2060 Moran (222.22-226.31)
Art 3 Sec 8	Requires that DHS eligibility systems include computerized verification of data. Also requires a revenue sharing contract be established (via existing resources) with a vendor to verify the eligibility of all enrollees of DHS programs. <b>Savings are sent to the Health Care Access Fund.</b>	HF446 Franson
Art 3 Sec 10	Permanently disqualifies fraudulent providers/recipients from all future CCAP eligibility. Permanently disqualifies from MFIP/SNAP related programs those who intend to transfer MFIP benefits to a foreign country subject to travel restrictions.	HF498 Franson HF446 Franson
Art 3 Sec 15	Requires an eligibility verification audit report be made to HHS committees	HF446 Franson
Art 4 Sec 1	Establishes that income includes all deposits into accounts owned or controlled by the applicant, including amounts received as salary/drawn from business accounts. (CCAP)	HF380 Scott
Art 4 Sec 2	Establishes that income includes funds in personal or business accounts used to pay personal expenses not directly related to the business. (MA)	HF380 Scott
Art 4 Sec 3	Establishes that the value of assets considered in determining eligibility for MA includes accounts that that contain personal income or assets, or are used to pay personal expenses.	HF380 Scott
Art 4 Sec 4	Establishes that income includes all deposits into accounts owned or controlled by the applicant, including amounts received as salary/drawn from business accounts. (MA)	HF380 Scott
Art 4 Sec 5	An applicant must document that property is not available to the applicant. (MFIP)	HF380 Scott
Art 4 Sec 6	In order to be excluded in determining a family's available income documentation of the source of the loan, dates, amount of the loan, and terms of repayment are required; In-kind income does not include in-kind payments of living expenses (MFIP)	HF380 Scott
Art 4 Sec 7	Income includes amounts deposited into checking and savings accounts (MN Care)	HF380 Scott
Art 4 Sec 8	Verification of checking and savings accounts must include the source of deposits; identification of any loans, and identification of deposits for personal expenses. (EAP)	HF380 Scott
Art 4 Sec 9	When using a business account to pay personal expenses not directly related to the business, the payment must be treated as earned income. (EAP)	HF380 Scott

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## OVERSIGHT

Section	Summary	Source
Art 3 Sec 6	Establishes the OIG as a standalone office	HF445 Franson
Art 3 Sec 7	Authorizes orders to carry out transfer of duties to the independent OIG, establishes ED salary	HF445 Franson
Art 3 Sec 17	Requires statutory changes be drafted that are required to implement transfer of duties to the independent OIG	HF445 Franson

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